

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on March 17, 2010, in Room 783 of the Docking State Office Building.

All members were present except:

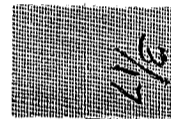
Representative Henry, excused
Representative King, excused

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Betty Boaz, Committee Assistant

Conferees appearing before the Committee:

Representative Don Myers
Mark Lerner, Stop Real-ID Coalition and Constitutional Alliance
Steve Schute, Hope for America, Gardner, KS
Richard Fry, Director of November Patriot & Cofounder of Coalition of Citizens Advisory Groups
Amanda Dewoody, Shawnee, KS
Carmen Alldritt, Director of Motor Vehicle Div., Dept. of Revenue



Others attending:

See attached list.

Vice-Chair Jene Vickrey called the meeting to order and opened the hearing on **HB 2727**.

HB 2727 - Driver's licenses and nondriver identification cards, protection of privacy rights

Vice Chair Vickrey recognized Steve Schute, Executive Director of the Hope for America Coalition. (Attachment #1) Mr. Schute spoke to the number of regimes that have used information in the past to cause personal detriment to individuals who provided too much information. He said the Real ID Act was an extension of recommendations that were issued as part of the 9/11 Commission Report, released in 2004. Mr. Schute said according to the Real ID Act, by December 1, 2014, a Real ID compliant driver's license will be required to fly on a commercial airliner or enter any federal government building. Mr. Schute also said that the common machine readable component of Real ID compliant technology incorporates something that allows scanners as far as 30 feet away to read the contents of RFID-enabled cards and this technology has been shown to be too easily hackable, meaning that not only is Real ID an invasion of privacy, but also could be used by criminals to carry out identity theft on a massive scale.

The next proponent of **HB 2727** was Mark Lerner Co-Founder of the Stop Real-ID Coalition and Constitutional Alliance. (Attachment #2) He said his organization was non-partisan and was comprised of state lawmakers, national and state groups/organizations and private citizens. Mr. Lerner said he had testified in many states regarding both the Real ID Act and the use of biometrics. He provided the Committee with many documents to support his testimony.

Vice-Chair Vickrey recognized Richard Fry, representing the November Patriots. (Attachment #3) Mr. Fry said he was here on behalf of his nine-year old son - he wants his son to be free and not get stopped and have to show papers on who he is. He said our current system is like they use in foreign countries to track people - like a government stalking of people. He said there is no Constitutional authority for this imposition and invasion by the federal government upon the states and their citizens. He said it is yet another example of a government that no longer lives under the rule of law but by force and threat of force. It does as it wishes to do simply 'because.' He said such authority to issue licenses and to regulate traffic has always been in the hands of the states under their inherent police power. And that it is part of the rights and authority noted to be reserved to the states and the people by the Tenth Amendment.

The next proponent was Amanda Dewoody (Attachment #4) She said as a citizen of Kansas she is outraged that this type of information is required of her. She also said she is saddened that Kansas is buying into this

CONTINUATION SHEET

Minutes of the House Transportation Committee at 1:30 p.m. on March 17, 2010, in Room 783 of the Docking State Office Building.

ID information gathering. Ms. Dewoody said she resents the federal government trying to get into her business. She concluded that she was outraged by a Federal government who claims the right to force Kansas to collect data on law-abiding citizens and store such data in a format that can be accessed and integrated with databases across the nation. She said the Real ID Act specifies the minimum requirements for data collection but there is no mention of limitations on the data to be collected.

Vice-Chair Vickrey drew the Committee's attention to the written testimony of Jim Guest, Missouri State Representative, in support of HB 2727. (Attachment #5)

There were no other proponents. The proponents stood for questions.

The Vice-Chairman called for opponents to HB 2727. He recognized Representative Don Myers. (Attachment #6) Representative Myers asked the Committee to not support this bill. He said there has been too much time and money spent up to this time to get the Real-ID program up and going. He said the KS Drivers' License Statutes in existence today were developed over a period of years to assist the Kansas Division of Motor Vehicles in an effort to stop the manufacture of fraudulent licenses. Rep. Myers said the Veterans, Military and Homeland Security Committee assisted in placing into statute the necessary tools to stop the practice of manufacturing fraudulent licenses and improve security.

Vice-Chair Vickrey recognized Carmen Alldritt, Director of Motor Vehicles Div. (Attachment #7) Director Alldritt said Kansas has become the model among all states for fraud prevention and identity security. She said if this bill passes Kansas will be the weakest among the states and become a magnet for fraud. She gave some examples of thefts that occurred prior to going to Real ID.

There were no other opponents so after all questions had been answered the hearing on HB 2727 was closed.

Chairman Hayzlett opened SB 293 to the Committee. After discussion, Representative Kerschen made a motion to amend SB 293 by removing the language from SB 293 and replacing with language from HB 2486 to be designated as H Sub for SB 293. The motion was seconded by Representative Kleeb and the motion carried. Representative Kleeb made a motion to favorably pass H Sub for SB 293, seconded by Representative Maloney and the motion carried.

Chairman Hayzlett opened SB 300 to the Committee. After discussion, Representative Peck made a motion to amend SB 300 by substituting the language from HB 2437 to be designated as H Sub for SB 300. The motion was seconded by Representative Worley and the motion carried. Representative Peck then made a motion to favorably pass H Sub for SB 300, seconded by Representative Swanson and the motion carried.

There being no further business before the Committee, the meeting was adjourned.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 3-17-10

NAME	REPRESENTING
Richard D. Foy	November Patriots, ^{CCAG-555}
Lynn K. B.	Self
MARK LERNER	Constitutional Alliance
Ted Smith	KDOR
Terry Mitchell	KDOR

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NAME	REPRESENTING
Gerrit Allert	KDOR
Jack Sossoman	
Terry Heidner	KDOT
KEVIN GREGG	KMCA
Jim Conant	KDOR
Bob Filhardt	Self
Ron Seeber	KARA